

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KRUEGER ET AL.
 Docket: 13033.11US01
 Title: AIRWAY IMPLANT AND DELIVERY TOOL AND KIT

22154 U.S. PTO
 10/665760
 09/19/03

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV347836386US

Date of Deposit: September 19, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: *Teresa Anderson*
 Name: Teresa Anderson

Mail Stop PATENT APPLICATION
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ Utility Patent Application: Spec. 13 pgs; 27 claims; Abstract 1 pgs.
 The fee has been calculated as shown below in the 'Claims as Filed' table. Please charge Deposit Account 13-2725 in the amount of \$438.00 to cover the filing fee.
- ☒ 9 sheets of formal drawings
- ☒ Small entity status is claimed pursuant to 37 CFR 1.27
- ☒ A signed Combined Declaration and Power of Attorney
- ☒ Assignment of the invention to Restore Medical, Inc., Recordation Form Cover Sheet. Please charge Deposit Account 13-2725 in the amount of \$40.00 to cover the Assignment recording fee.
- ☒ Return postcard

CLAIMS AS FILED

Number of Claims Filed		In Excess of:		Number Extra		Rate		Fee
Basic Filing Fee								\$375.00
Total Claims								
27	-	20	=	7	x	9.00	=	\$63.00
Independent Claims								
2	-	3	=	0	x	42.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$0.00
TOTAL FILING FEE								\$438.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
 P.O. Box 2903, Minneapolis, MN 55402-0903
 (612) 332-5300

By: *David G. Schmaltz*
 Name: David G. Schmaltz
 Reg. No.: 39,828
 Initials: DSchmaltz/aml

